

# House Watch

A summary of today's House actions;  
published daily when the House is in session.



3/5/08

## FINAL PASSAGE

### [HB 5560](#)

(Leland)

House Bills 5560 and 5562 would each add a new section to the Michigan Penal Code (MCL 750.81e) to specify that an individual who assaulted and battered another individual causing any physical injury would be guilty of a felony under certain circumstances. The felony would be punishable by imprisonment for no more than four years, or a fine of no more than \$2,000, or both.

Under House Bill 5560, the punishment would apply when the injured individual was:

- An employee of a public transit authority who was operating a public transit vehicle, or performing duties associated with the operation of that vehicle; or
- A passenger on, or entering or exiting, a public transit vehicle.

- Condino substitute H-1 was adopted
- HB 5560 advanced to 3<sup>rd</sup> Reading
- HB 5560 was passed [RC 129: 93 yes, 13 no]
- IE was ordered

### [HB 5561](#)

(Gonzales)

House Bill 5561 would amend the Code of Criminal Procedure (MCL 777.16d) to specify that assault or battery of a public transit employee or passenger on a public transit vehicle that caused injury would be a Class F felony against a person with a four-year maximum sentence of imprisonment. The bill is tie-barred to both House Bill 5560 and House Bill 5562.

- Condino substitute H-1 was adopted
- HB 5561 advanced to 3<sup>rd</sup> Reading
- HB 5561 was passed [RC 130: 97 yes, 9 no]
- IE was ordered

## **HB 5562**

**(Dean)**

Under House Bill 5562, the punishment would apply when the injured individual was:

- In a location properly designated as an area used by public transit vehicles to pick up or discharge passengers; or
- In a facility or area that was owned or operated by a public transit authority (including a parking lot for visitors) and used to provide transportation services to the general public.

Both bills would define “public transit authority” to mean an entity of a local unit of government of this state, or a combination of local units of government of this state, that is authorized by law to provide transportation services to the general public.

- Condino substitute H-1 was adopted
- Condino 1A was adopted
- HB 5562 advanced to 3<sup>rd</sup> Reading
- HB 5562 was passed [RC 131: 94 yes, 12 no]
- IE was ordered

## **HB 5700**

**(Sak)**

House Bill 5700 would amend the Public Health Code to classify *Salvia divinorum* and *salvinorum A* as Schedule 1 drugs. The bill would also delete an obsolete provision pertaining to a marihuana controlled substances therapeutic research program that no longer is in operation. The code's penalty provisions for unlawful acts involving controlled substances would also apply to activities associated with *Salvia divinorum* or *salvinorum A*. Use of either substance would be a misdemeanor punishable by not more than one year and/or a fine of not more than \$1,000. Felony provisions would apply for conduct involving knowingly possessing *Salvia divinorum* or *salvinorum A*; manufacturing, creating, delivering, or possessing with intent to deliver either substance; or owning or using buildings, vehicles, or places to manufacture a controlled substance or a counterfeit substance.

- Sak substitute H-1 was adopted
- HB 5700 advanced to 3<sup>rd</sup> Reading
- HB 5700 was passed [RC 132: 106 yes, 0 no]
- IE was ordered

## **SB 712**

**(Clarke)**

Senate Bill 712 would amend the Michigan Vehicle Code (MCL 257.307 and 257.310) and is identical to House Bill 4942. Senate Bills 712 and 714 are technical in nature, amending various acts to adopt changes to language and citations that would conform the acts to revisions made to the Uniform Anatomical Gift Law by House Bill 4940 or Senate Bill 710. The bills would also make editorial changes for clarity and delete obsolete provisions.

- Committee substitute H-1 was adopted
- SB 712 advanced to 3<sup>rd</sup> Reading
- SB 712 was passed [RC 133: 106 yes, 0 no]
- IE was ordered

### **SB 713**

**(Allen)**

Senate Bill 713 would place the maximum term of imprisonment for violations of House Bill 4940 or Senate Bill 710 within the sentencing guidelines. All three bills are tie-barred to either House Bill 4940 or Senate Bill 710, both of which would adopt the Revised Uniform Anatomical Gift Law in place of the current act.

- Committee substitute H-1 was adopted
- SB 713 advanced to 3<sup>rd</sup> Reading
- SB 713 was passed [RC 134: 106 yes, 0 no]
- IE was ordered

### **SB 714**

**(Kahn)**

Senate Bill 714 would amend Public Act 181 of 1953 (MCL 52.209), which prescribes the duties of medical examiners. The bill is nearly identical to House Bill 4944. (House Bill 4944 would rename that provision of law as the Kyle Ray Horning Law. Kyle was an infant who recently passed away, but, due to the gift of his tissues and organs by his parents after his death, saved the lives of several individuals.)

- Committee substitute H-1 was adopted
- SB 714 advanced to 3<sup>rd</sup> Reading
- SB 714 was passed [RC 135: 107 yes, 0 no]
- IE was ordered